

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

KEITH RUSSELL JUDD	§	
VS.	§	CIVIL ACTION NO. 1:07cv926
FRANCISCO J. QUINTANA	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Keith Russell Judd, an inmate confined at the Federal Correctional Institute at Texarkana, Texas, ~~proceeding pro se, filed the above-styled petition for writ of habeas corpus~~ pursuant to 28 U.S.C. § 2241.

The court previously referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable orders of this court. The magistrate judge has submitted a Report and Recommendation recommending the petition be dismissed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Petitioner filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court concludes the objections are without merit. The magistrate judge correctly concluded petitioner has no liberty interest in not being confined in the Special Housing Unit of his prison and that petitioner has cited no authority which would support his request for a furlough to allow him to participate in a campaign for president.¹

¹ In his objections, petitioner also complains about his medical care and other conditions of his confinement. As these complaints are not related to the fact or duration of his confinement, they may not be asserted in a petition for writ of habeas corpus. *See Preiser v. Rodriguez*, 411 U.S. 475 (1987). Petitioner is free to file a civil rights lawsuit raising these complaints.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED** except as noted in footnote 1. A final judgment shall be entered dismissing the petition.

So **ORDERED** and **SIGNED** this **30** day of **November, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge